

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - DAYTON**

KOSAL TITH	:	CASE NO.3:13-C-284-WHR
Plaintiff,	:	Judge Walter Rice
v.	:	
THYSSENKRUPP MATERIALS NA, INC.	:	<u>PLAINTIFF'S UNOPPOSED</u> <u>MOTION FOR EXTENSION OF</u> <u>TIME</u>
Defendant.	:	

Now comes the Plaintiff, Kosal Tith, by and through counsel, pursuant to S.D. Ohio Civ. R. 7.3(a), and moves the Court for an Order extending the time in which he may file a Memorandum in Opposition to the Defendant's Motion to Dismiss Plaintiff's Third, Fourth and Fifth Claims for Relief and Requests for Recovery of Punitive Damages and Attorney's Fees. [Doc. No. 11]. Pursuant to S.D. Ohio Civ. R. 7.3(a), the Defendant's counsel was consulted and they consent to this Motion. A proposed Order is being submitted contemporaneously with this Motion for the Court.

Respectfully submitted,

BIESER, GREER & LANDIS, LLP

/s/ Thomas M. Hess, Jr.

Charles F. Shane (0062494), Trial Attorney
James H. Greer (0046555), Trial Attorney
Thomas M. Hess, Jr. (0089667)
BIESER, GREER & LANDIS LLP
400 PNC Center
6 North Main Street
Dayton, Ohio 45402-1908
Telephone: (937) 223-3277
Facsimile: (937) 223-6339
E-mail: cfs@bgllaw.com; jhg@bgllaw.com
tmh@bgllaw.com

Attorneys for Plaintiff

MEMORANDUM

Plaintiff Kosal Tith currently has until December 3, 2013 to file a Memorandum in Opposition to the Defendant's Motion to Dismiss Plaintiff's Third, Fourth and Fifth Claims for Relief and Requests for Recovery of Punitive Damages and Attorney's Fees. [Doc. No. 11]. Due to counsel's schedule, intervening deadlines, and the Thanksgiving holiday, a brief extension is requested to adequately prepare the Memorandum in Opposition. Mr. Tith requests an additional 14 days, until December 17, 2013, to file his Opposition Memorandum.

On November 27, 2013, counsel for Mr. Tith consulted with defense counsel pursuant to Civ.R. 7.3(a). Defense counsel consents to this extension so long as the undersigned consents to an extension until January 10, 2014 for the defense to file its Reply so as to avoid a filing deadline during the holidays. Undersigned consents to this extension. A proposed order is being submitted contemporaneously with this Motion extending Plaintiff's deadline to file a Memorandum in Opposition to December 17, 2013 and Defendant's deadline to file a Reply to January 10, 2014.

Respectfully submitted

BIESER, GREER & LANDIS, LLP

/s/ Thomas M. Hess, Jr.

Charles F. Shane (0062494), Trial Attorney

James H. Greer (0046555), Trial Attorney

Thomas M. Hess, Jr. (0089667)

BIESER, GREER & LANDIS LLP

400 PNC Center

6 North Main Street

Dayton, Ohio 45402-1908

Telephone: (937) 223-3277

Facsimile: (937) 223-6339

E-mail: cfs@bgllaw.com; jhg@bgllaw.com
tmh@bgllaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that on the **27th** day of **November, 2013**, a true and correct copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of filing to all counsel of record.

BIESER, GREER & LANDIS, LLP

/s/ Thomas M. Hess, Jr.

Thomas M. Hess, Jr. (0089667)

3271.213181/425010.1